

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JEFFREY KARTTUNEN,

Plaintiff,

Case No. 06-13388

v.

Hon. John Corbett O'Meara

DAVID CLARK

Defendant.

ORDER DENYING PLAINTIFF COUNSEL'S MOTION FOR RECONSIDERATION

Before this court is Plaintiff Counsel's motion for reconsideration of the court's June 19, 2008 order sanctioning counsel's use of abusive language toward this court and its staff. Plaintiff's counsel argues that this court is clearly erroneous in its judgment and that its sanction is not based on fact.

Unfortunately, counsel appears to have a selective memory. As the record reflects, counsel in speaking with William Barkholz, this court's case manager, on June 10, 2008 stated that he did not want to "mother f_ _ _" this court but merely speak to the court in an *ex parte* phone conversation. The sanction imposed by the court has nothing to do with the volume of counsel's voice or the illegality of such a request. Rather, the use of profane language such as this is, in and of itself, abusive and offensive, and has no place in any discussion with this court or its staff.

As for calling the court's integrity into question, counsel should note that he asked Mr. Barkholz if the clerk, rather than the judge, had made the decision in this matter. The inappropriateness of this statement should be obvious to counsel. It questions the integrity of the work of this court. In any event, this type of behavior by counsel will not be tolerated.

Therefore, Plaintiff Counsel's motion for reconsideration is HEREBY DENIED.

s/John Corbett O'Meara
United States District Judge

Date: July 1, 2008

I hereby certify that a copy of the foregoing document was served upon counsel of record on this date, July 1, 2008, by electronic and/or ordinary mail.

s/William Barkholz
Case Manager